

IN THE _____ COURT OF _____ COUNTY, TENNESSEE

STATE OF TENNESSEE)

vs.)

No. _____

Charge(s): _____

**ORDER DIRECTING JUDICIAL FORENSIC HOSPITALIZATION AT THE
FORENSIC SERVICES UNIT OF MIDDLE TENNESSEE MENTAL HEALTH INSTITUTE
UNDER T.C.A. §33-7-301(b) AND TITLE 33, CHAPTER 6, PART 5, TENN. CODE ANN.**

This cause was heard on _____ before the Honorable _____, Judge of Division _____, of the _____ Court of _____ County, upon the petition of _____ requesting that the defendant be judicially hospitalized under T.C.A. §33-7-301(b), and Title 33, Chapter 6, Part 5, Tennessee Code Annotated. The petition is based upon the findings of this Court that the defendant is: (Check one)

- _____ 1. Incompetent to stand trial because of mental illness, or
- _____ 2. Competent, but failure to hospitalize would create a likelihood to of serious harm to the defendant by reason of mental illness.

At the hearing, it appeared to the satisfaction of the Court that the defendant was examined by _____ and _____, who are certifying professional under T.C.A. Section 33-6-503, and who executed certificates which state that, in their opinion, the defendant is mentally ill and, because of this illness, poses a substantial likelihood of serious harm and is in need of care and treatment in the Forensic Services Unit at Middle Tennessee Mental Health Institute; that the certificates were issued within three (3) days of the examinations by the certifying professionals; that the certificates were introduced; and that at least one (1) of the certifying professionals testified on his or her findings at the hearing.

As a result of the hearing, the Court finds by clear, unequivocal and convincing evidence that the defendant is mentally ill and, because of this illness, poses a substantial likelihood of serious hard, and that all available less drastic alternatives to commitment to a mental hospital are unsuitable. The determination of substantial likelihood of serious harm is based upon the following standards:

1.
 - A. A person has threatened or attempted suicide or to inflict serious bodily harm on himself, OR
 - B. The person has threatened or attempted homicide or other violent behavior, OR
 - C. The person has placed others in reasonable fear of violent behavior and serious physical harm to them, OR
 - D. The person is unable to avoid severe impairment or injury from specific risks, AND
2. There is a substantial likelihood that such harm will occur unless the person is placed under involuntary treatment.

The Court also finds that:

1. The defendant is substantially likely to injure himself or others if not treated in a forensic services unit, and,
2. Treatment in such a unit is in the defendant's best interest.

Therefore, it is ORDERED:

1. The defendant is committed to the custody of the Commissioner of Mental Health and Developmental Disabilities at the Forensic Services Unit of Middle Tennessee Mental Health Institute, for treatment and evaluation. The Forensic Services Unit shall report to this Court every six (6) months on the progress and condition of defendant as it relates to competency to stand trial.
2. The Court Clerk shall provide a copy of this order to the Forensic Services Unit of Middle Tennessee Mental Health Institute.
3. The Sheriff, after arranging an admission appointment with the Forensic Services Unit, shall transport the defendant to the Forensic Services Unit of Middle Tennessee Mental Health Institute and return the defendant to jail when notice is received from the Institute.

Enter this _____ day of _____, 20_____.

Approved for Entry:

Defense Attorney
Address
Phone Number

Judge

District Attorney General
Address
Phone Number